

EXHIBIT 3

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THE O'MARA LAW FIRM, P.C.
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Attorney for Desert Rose Club, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JANE DOE;

Plaintiffs,

v.

JOSEPH LOMBARDO, Governor of Nevada, in his official capacity; AARON FORD, Attorney General of Nevada, in his official capacity; NYE COUNTY; ELKO COUNTY; STOREY COUNTY; WESTERN BEST, INC. D/B/A CHICKEN RANCH; WESTERN BEST, LLC; DESERT ROSE CLUB, LLC; HACIENDA ROOMING HOUSE, INC. D/B/A BELLA'S HACIENDA RANCH; MUSTANG RANCH PRODUCTIONS, LLC D/B/A MUSTANG RANCH LOUNGE, LLC' LEONARD "LANCE" GILMAN, in his official capacity; and LEONARD "LANCE" GILMAN, in his individual capacity.

Defendants.

Case No. 3:24-cv-00065-MMD-CLB

**DECLARATION IN SUPPORT OF
MOTION FOR SANCTIONS PURSUANT
TO 28 U.S.C. § 1927 AND THE COURT'S
INHERENT AUTHORITY**

I, David C. O'Mara, Esq., being duly sworn under penalty of perjury, state that the following:

1. I am over the age of 18 and am a licensed Nevada attorney and counsel for defendant Desert Rose Club, LLC.

2. This Declaration is made in support of Desert Rose's motion for sanctions ("Motion").

3. Declarant was retained by Desert Rose in mid-March, 2024. Since that time, as set forth in the Motion and the attached billing statements, Desert Rose has incurred attorney's fees totaling Eighteen Thousand Six Hundred Eighty Dollars (\$18,680.00) in defending this lawsuit.

1 4. A true and correct copy of the detailed billing statements of attorneys' fees incurred by
2 Desert Rose in this matter is attached to the Motion.

3 5. Declarant has practiced law in Nevada since 2003 and has been involved in several
4 matters in Federal Court throughout his career, including litigation where Declarant was lead counsel,
5 liaison counsel, and local counsel. Counsel's experience in this jurisdiction is predominantly on plaintiff
6 side litigation and trial work in civil matters representing clients in state and federal courts in class
7 actions.

8 6. Declarant has appeared in the Nevada District Court throughout the State of Nevada and
9 has appeared before the Nevada Court of Appeals and Nevada Supreme Court on several matters.

10 7. During my time in practice, I have represented a variety of clients including shareholders,
11 business, and individuals, including those that have initiated the litigation and those that were in need, as
12 Desert Rose, of a defense.

13 8. I earned my bachelor's degree at the University of Nevada, Reno, and my J.D. with a
14 certificate in government affairs at the University of the Pacific, McGeorge School of Law.

15 9. Declarant believes his standing in the Northern Nevada legal community is high.
16 Declarant has been a member of the Nevada Supreme Court Bench Bar for several years.

17 10. My hourly rate for litigation is \$550.00 per hour, which is commensurate with my skills
18 and experience. However, this rate was reduced because of Counsel's ability to work with other defense
19 Counsel. The current rate charged to Desert Rose for this matter was set at \$450.00; an amount that is
20 supported by the Northern Nevada legal market.

21 11. Counsel was able to recognize when Desert Rose needed to branch off and protect its
22 own interest, and when to utilize the legal abilities of other defense counsel when legal pleadings would
23 be redundant as other defendants had addressed the legal issues that affected all the defendants. While
24 Desert Rose was able to file various joinders, the legal issues and arguments still had to be researched
25 and presented to make sure they would be beneficial to Desert Rose.

26 12. Defense of this lawsuit required a proportionate amount of work from Desert Rose's
27 counsel, especially in light of the seriousness of the allegations levied against Desert Rose.

28

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2025, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to the email addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List.

Dated: May 12, 2025

/s/ Valerie Weis
VALERIE WEIS